

ATTORNEY'S DOCKET NO: L0532/7010/NPF
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry F. McInerney et al.
Serial No: 09/556,280
Filed: April 24, 2000
For: PORTABLE AUTHENTICATION DEVICE AND METHOD OF
AUTHENTICATING PRODUCT OR PRODUCT PACKAGING
Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 20 day of August, 2000.

Jannine M. Acheson
Signature

Commissioner for Patents
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

A. The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

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B. The Applicants hereby make the following additional information of record in the above-identified application:

Each of the below-listed co-pending U.S. patent applications may be directed to related subject matter.

Serial No.	Filing Date	Entitled	Docket No.
09/173,814	10/16/98	Microplate Enhanced Light Emissive Compounds and Methods of Making the Same	L0532/7004
09/191,947	11/13/98	Automated Fingerprint Methods and Chemistry for Product Authentication and Monitoring	L0532/7005
09/232,324	1/18/90	Portable Product Authentication Device	L0532/7006
09/428,704	10/27/99	Method and Apparatus for Portable Product Authentication	L0532/7008
09/575,411	05/19/00	Method and Apparatus for Portable Product Authentication	L0532/7011
09/608,886	06/30/00	Optical Data Copy Protection	L0532/7012
09/631,585	08/03/00	Method and Apparatus for Controlling Access to Storage Media	L0532/7013

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

GB 1,344,866 is believed to be the equivalent of DT 2118928 and is believed to explain the relevance.

Where English language translations of the non-English language references have been provided, the translation is believed to show the relevance of the reference. Where no English language translation is available, but an English language abstract has been provided, the English language abstract is believed to explain the relevance to the extent known by Applicants. Where no English language abstract is available, the drawings are believed to show the relevance.

The following are remarks concerning the other information cited:

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Henry F. McInerney, et al., Applicants

By: 

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Docket No. L0532/7010
Dated: August 28, 2000
X07/24/00

FORM PTO-1449(Modified)	ATTY. DOCKET NO.: L0532/7010	SERIAL NO.: 09/556,280
	LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	
	APPLICANT: Henry F. McInerney, et al.	
	FILING DATE: April 24, 2000	GROUP: Not Yet Assigned

U.S. PATENT DOCUMENTS

Exam Init	Ref Des	Document No.	Date	Name-	Class	Sub Class	FILING DATE If Appropriate
		Des. 248,044	05/30/78	Odom, Jr. et al.			
		Des. 414,272	09/21/99	O'Bear et al.			
		1,822,098	09/08/31	Huntress			
		2,265,196	12/41	Riley			
		2,521,124	09/05/50	Miller			
		3,356,462	12/05/67	Cooke et al.			
		3,412,245	11/19/68	Halverson			
		3,444,517	05/13/69	Rabinow			
		3,473,027	10/14/69	Freeman et al.			
		3,500,047	03/10/70	Berry			
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		3,591,283	07/06/71	Peisach			
		3,624,644	11/30/71	Higgins			
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		4,015,131	03/29/77	McDonough et al.			
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	DE 196 17 106 A1	10/23/97	Lucht et al.			Abstract
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(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)

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		Johnson, G.D., et al., "Fading of Immunofluorescence during Microscopy: a Study of the Phenomenon and its Remedy," Journal of Immunological Methods, 55: 231-242 (1982)
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		"Junior LB 9509, the portable luminometer; downloaded from http://www.berthold.com.au/bioanalytical/pages/LB9509.html , downloaded October 26, 1999
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			Wittwer, C.T., et al., "Continuous Fluorescence Monitoring of Rapid Cycle DNA Amplification," BioTechniques, 22:130-138 (January 1997)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

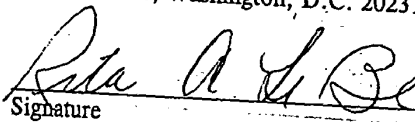
Include copy of this form with next communication to applicant

ATTORNEY'S DOCKET NO: L0532/7010/NPF
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry F. McINERNEY, et al.
Serial No: 09/556,280
Filed: April 24, 2000
For: PORTABLE AUTHENTICATION DEVICE AND METHOD OF
AUTHENTICATING PRODUCTS OR PRODUCT PACKAGING
Examiner: Unassigned
Art Unit: 2877

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 10 day of January, 2001.


Signature

Commissioner for Patents
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

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PART I: Compliance with 37 C.F.R. §1.97

A. This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

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B. The Applicants hereby make the following additional information of record in the above-identified application: International Search Report from International Application No. PCT/US00/19088.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

Where English language translations of the non-English language references have been provided, the translation is believed to show the relevance of the reference. Where no English language translation is available, but an English language abstract has been provided, the English language abstract is believed to explain the relevance to the extent known by Applicants. Where no English language abstract is available, the drawings are believed to show the relevance.

The following are remarks concerning the other information cited.

PART IV: Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Henry F. McINERNEY, et al., Applicants

By: 

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RM PTO-1449(Modified)	ATTY. DOCKET NO.: L0532/7010/NPF	SERIAL NO.: 09/556,280
	APPLICANT: Henry F. McINERNEY, et al.	
	FILING DATE: April 24, 2000	GROUP: 2877

U.S. PATENT DOCUMENTS							
Im	Ref Des	Document No.	Date	Name	Class	Sub Class	FILING DATE If Appropriate
✓		5,793,034	08/11/98	Wesolowicz et al.			
✓		5,666,417	09/09/97	Liang et al.			
✓		5,521,722	05/28/96	Colvill et al.			
✓		5,512,490	04/30/96	Walt et al.			

FOREIGN PATENT DOCUMENTS							
		Country & Doc. No. (11)	Pub. Date (43)		Class	Sub Class	Translation Yes No
		EP 0595583A1	04.05.94	Canon Kabushiki Kaisha			
		EP 0485694A2	20.05.92	Empire Blue Cross/Blue Shield			
		FR 2762545A1	30.10.98	Francois Charles Oberthur			
		WO 97/50053	31.12.97	Eastman Chemical Company			
		WO 99/14055	25.03.99	Governor and Co. of the Bank of England			

OTHER ART		
(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)		
		International Search Report from International Application No. PCT/US00/19088.

AMINER	DATE CONSIDERED
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MINER: Initial if reference considered, whether or not citation is in conformance with MPEP 1; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant